

## AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAMES WATSON, JOSEPH AVITABILE,  
THOMAS MCGLADE, AND ROBERT SHEEHAN,  
INDIVIDUALLY AND ON BEHALF OF ALL OTHERS  
SIMILARLY SITUATED,

Plaintiff(s)  
Petitioner(s)

INDEX #:  
08 CV 4436  
DATE FILED:  
05/12/2008

- against -

CONSOLIDATED EDISON OF NEW YORK AND  
THE CONSOLIDATED EDISON PENSION AND BENEFITS PLAN,

Defendant(s)  
Respondent(s)

JUDGE:  
RAKOFF

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

ELLIOTT STERNBERG, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 05/15/2008, 09:45AM at 4 IRVING PLACE, 1ST FLOOR, NEW YORK NY 10003, deponent served the within SUMMONS IN A CIVIL CASE & CLASS ACTION COMPLAINT on THE CONSOLIDATED EDISON PENSION AND BENEFITS PLAN, a defendant in the above action.

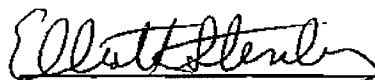
By delivering to and leaving with MARY EHIEMUA at the above address and that he knew the person so served to be the managing agent of the corporation.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 25 Approximate height 5'05" Approximate weight 110 Color of skin BLACK Color of hair BLACK

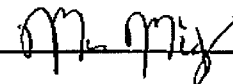
LEEDS MORELLI &  
BROWN, P.C.

ONE OLD COUNTRY ROAD  
SUITE 347  
CARLE PLACE, NY 11514  
(516)873-9550



ELLIOTT STERNBERG License # 1184595

Sworn to before me on 05/16/2008  
MAUREEN MCCAFFREY NO.01MC5018583  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN SUFFOLK COUNTY  
COMMISSION EXPIRES OCTOBER 4, 2009



APPLE ATTORNEY SERVICE, PO BOX 470, MINEOLA NY 11501-04  
Phone: 516-742-0077 \* Fax: 516-742-4726